

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

TOOCHUKWU M. OKORIE,)
Petitioner,)
v.) Case No. 2:23-cv-1065-AMM-NAD
UNITED STATES OF AMERICA,)
Respondent.)

MEMORANDUM OPINION

Petitioner Toochukwu M. Okorie filed a pleading in the United States District Court for the Eastern District of Pennsylvania, which construed that pleading as a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 and transferred the petition here. *See* Docs. 1, 6. That court also transferred Mr. Okorie's Emergency Motion for Leave to File a Permanent Restraining Order and for a Preliminary Injunction, Doc. 2; and Emergency Motion for a Stay of Extradition and for a Hearing, Doc. 3.

On August 16, 2023, the magistrate judge entered a report which recommended that the habeas petition be dismissed without prejudice. Doc. 8. Although the magistrate judge advised Mr. Okorie of his right to file objections to the report and recommendation within fourteen days, *id.* at 5–6, that time expired without the court receiving any objections.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the magistrate judge's findings and **ACCEPTS** the recommendation. The petition for writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE**, rendering Mr. Okorie's emergency motions, Docs. 2, 3, **MOOT**.

A separate Final Judgment will be entered.

DONE and **ORDERED** this 8th day of September, 2023.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE